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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 **ORIE NOBLE,**

9 **Plaintiff(s),**

10 **v.**

11 **BARRICK GOLDSTRIKE MINES,**  
12 **INC.,**

13 **Defendant(s).**  
14

2:12-CV-1091 JCM (GWF)

15 **ORDER**

16 Presently before the court is defendant's motion to dismiss. (Doc. # 7). The plaintiff never  
17 filed a response.

18 Also before the court is defendant's motion to transfer. (Doc. # 50). The plaintiff never filed  
19 a response in opposition.

20 The court referred this case to the early neutral evaluation ("ENE") program. After a long  
21 delay, the parties conducted an ENE conference with Magistrate Judge McQuaid on June 25, 2013.  
22 The parties settled at the ENE conference. The settlement moots the two pending motions and they  
23 are denied without prejudice.

24 Accordingly,

25 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion to  
26 dismiss (doc. # 7) be, and the same hereby, is DENIED as moot.

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1 IT IS FURTHER ORDERED that defendant's motion to transfer (doc. # 50) be, and the same  
2 hereby, is DENIED as moot.

3 DATED June 28, 2013.

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6 UNITED STATES DISTRICT JUDGE